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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/739,840	12/20/2000	Nobuhiro Saitou	826.1646/JDH	3885

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EXAMINER

WALLACE, SCOTT A

ART UNIT	PAPER NUMBER
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2671

DATE MAILED: 07/30/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/739,840

Applicant(s)

SAITOU, NOBUHIRO

Examiner

Scott Wallace

Art Unit

2671

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 May 2003.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-3 and 5-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 5-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

***Response to Arguments***

1. Applicant's arguments filed 05/16/03 have been fully considered but they are not persuasive. The applicant argues on page 4, 1<sup>st</sup> paragraph argues "nothing in the screen shots provided as "Microsoft Org Chart" teaches or even suggest how data is stored". As per claim 1 with the new element of storing information in tables, this is taught in Usuda as seen below.
2. As per claim 5, the applicant argues on page 4, 3<sup>rd</sup> paragraph that "a single block labeled "3" connected to only one of three blocks labeled "2", while claim 5 recites "a third object connected to the plurality of second objects"". New figs 15-17 disclose this feature.
3. The applicant argues on page 4, 4<sup>th</sup> paragraph that "there is nothing in the Microsoft Organization Chart screen shots to suggest that Microsoft Organization Chart Version 2 was capable of automatically deleting blocks labeled "2" and connecting blocks "1" and "3"". Claim 5 does not say that this feature is done automatically, however, the examiner while using the Organization Chart editor has observed objects "1" and "3" connecting automatically after "2" has been deleted.
4. The applicant argues on page 5, 2<sup>nd</sup> paragraph that "a second object connected to the plurality of first objects and a plurality of third objects connected to the second object" is not taught by the reference. New figs 18-20 of Microsoft Org Chart disclosed this.
5. As per claims 7, 12 and 16, the applicant argues the recited figs 2 and 14 fail to teach the claim. The claim states " a first object, a second object and a third object that are connected in series". Fig 2 teaches objects 1, 2 and 3 connected in series downward. Also the claim states " an editor deleting the second object and connecting the first and third objects when the second object is moved to a predetermined area". The examiner, using Organization Chart, deleted object 2 and as a consequence objects 1 and 3 connected automatically, and object 2 was moved to a different location as seen in fig 14.
6. On page 6, 1<sup>st</sup> and 2<sup>nd</sup> paragraphs, the applicants arguments are similar to number 3 as seen above, therefore the answer is the same as in number 3 as seen above.

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1-3, 5-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Microsoft Organization Chart in view of Usuda, U.S. Patent No. 5,469,539.

9. As per claims 1, 11, 13 and 15, Microsoft Organization Chart discloses a display unit to display a graphic including a first object, a second object and a third object that are connected in series via lines (fig 2); an editor to delete the second object and connecting the first and third objects when the second object is selected (figs 2-4). However, Microsoft Org Chart does not specifically disclose a storage unit, coupled to said display unit, to store a first table with position information that indicates a position of each object displayed on said display unit, a second table with line information that identifies the lines connecting the first, second and third objects, and a third table with preceding information that identifies an object preceding each object. This is disclosed in Usuda in fig 5a and column 4 lines 18-66. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use tables to store the chart information because this made it clearer when storing hierarchal information as in a flow chart.

10. As per claim 2, Microsoft Org Chart discloses wherein said editor displays the third object in a position where the second object used to be displayed when the second object is selected and deleted (fig 4).

11. As per claim 3, Microsoft Org Chart discloses a coordinate system providing unit providing a virtual coordinate system in which each box is defined as an area for displaying an object (fig 2), wherein

said display unit displays each object using the virtual coordinate system and said editor locates each object using the virtual coordinate system (fig 2).

12. As per claim 5, Microsoft Org Chart discloses a display unit displaying a graphic including a first object, a plurality of second objects connected to the first object and a third object connected to the plurality of second objects (fig 15); and an editor deleting the plurality of second objects and connecting each of the first object and the third object when the plurality of second objects is selected (figs 15-17).

13. As per claim 6, Microsoft Org Chart discloses a display unit displaying a graphic including a plurality of first objects, a second object connected to the plurality of first objects and a plurality of third objects connected to the second object (fig 18); and an editor deleting the second object and connecting each of the plurality of first objects and the plurality of third objects when the second object is selected (figs 18-20).

14. As per claims 7, 12 and 16, Microsoft Org Chart discloses a graphics editing device, comprising: a display unit displaying a graphic including a first object, a second object and a third object that are connected in series (fig 2); an editor deleting the second object and connecting the first and the third objects when the second object is moved to a predetermined area (fig 14).

15. As per claim 8, Microsoft Org Chart discloses a graphics editing device, comprising: a display unit displaying a graphic including a first object, a second object and a third object that are connected in series (fig 2); an editor deleting the second object and connecting the first and the third objects when the second object is moved to a specific relative position from a position of the graphic (fig 14).

16. As per claim 9, Microsoft Org Chart discloses said editor corrects a distance between the first and third objects according to a predetermined condition (figs 1-3).

17. As per claim 10, Microsoft Org Chart discloses a management unit managing a sequence of the objects, said management unit manages the third object as a subordinate object to the first object (fig 2), if the second object is subordinate to the first object and the third object is subordinate to the second object before the second object is deleted (fig 2).

18. As per claim 14, Microsoft Org Chart discloses a storage medium that stores a program executed by a computer, the program comprising: a program code of displaying a graphic including a first object, a second object and a third object that are connected in series (fig 2); and a program code deleting the second object and connecting the first and third objects when the second object is moved to a predetermined area. (figs 3 and 4 ).

### ***Conclusion***

19. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Scott Wallace** whose telephone number is **703-605-5163**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Mark Zimmerman**, can be reached at 703-305-9798.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:**

**(703) 872-9314 (for Technology Center 2600 only)**

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

**Application/Control Number: 09/739,840**  
**Art Unit: 2671**

**Page 7**

A handwritten signature in black ink, appearing to read "Matthew C. Bella". The signature is fluid and cursive, with the first name "Matthew" being more prominent than the last name "Bella".

**MATTHEW C. BELLA**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2600**